

UNITED STATES DISTRICT COURT

FILED
IN CLERK'S OFFICE
District of MASSACHUSETTS

2004 JUL -2 P 2:08

GUCCI AMERICA, INC.

V.

U.S. DISTRICT COURT SUMMONS IN A CIVIL CASE
DISTRICT OF MASS.

SMART BARGAINS, INC., SMART BARGAINS
SECURITY CORPORATION AND
SMARTBARGAINS.COM

CASE NUMBER:

04 10492DPW

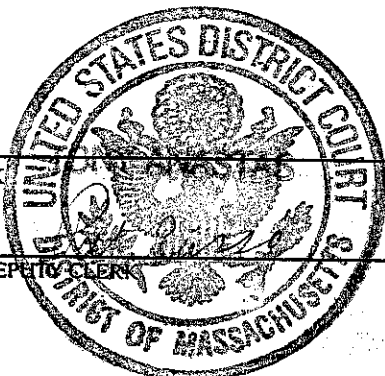
TO: (Name and address of Defendant)

SMARTBARGAINS.COM, LP
10 MILK STREET, 10TH FLOOR
C/O SMART BARGAINS, INC.
BOSTON, MA 02108

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

MARK SCHONFELD
BURNS & LEVINSON LLP
125 SUMMER STREET
BOSTON, MA 02110

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.



CLERK

(By) DEPUTY CLERK

DATE

3-11-04

RETURN OF SERVICE

Service of the Summons and Complaint was made by me (1)

DATE

June 25, 2004

NAME OF
SERVER

BURTON M. MALKOFSKY

TITLE

Process Server / A Disinterested Person

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served:

, MASSACHUSETTS

☐ Left copies thereof at the defendant's dwelling or usual place of abode with a person of suitable age and discretion then residing therein. Name of person whom the summons and complaint were left:

Said service was made at:

, MASSACHUSETTS

☒ Other: By handing true and attested copies thereof to Ms. Marguerite Hill, General Counsel and Resident

Duly Authorized Agent for the within-named

Defendant, Smartbargains.com, LP.

Said service was made at:

10 Milk Street, 10th Floor, Boston

, MASSACHUSETTS

STATEMENT OF SERVICE FEES

SERVICE FEE \$ 10.00 Trips

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on June 25, 2004

Date

Signature of Server

One Devonshire Place, Boston, Massachusetts

Address of Server

ADDITIONAL INFORMATION

PLEASE NOTE THAT IT WAS NECESSARY TO MAKE _____ ATTEMPTS BEFORE MAKING PROPER SERVICE.

Date

Time

Remarks

FEE

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

TOTAL

\$ _____

(1) As to who may serve a summons see Rule 4 to the Federal Rules of Civil Procedure.